

LAFAYETTE STONE
Name

631. CHAMA ST SE
Address
APT. A - ALBUQUERQUE - NM

FILED
UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

12 APR 20 PM 2:56

CLERK ALBUQUERQUE

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

LAFAYETTE STONE, PRO SE Plaintiff
(Full Name)

CASE NO. 12 CV 417 ACT
(To be supplied by the Clerk)

ALBUQUERQUE, NM. POLICE DEPT.
(A.P.D.)
METROPOLITAN DETENTION CENTER
(M.D.C.)
ST. OF NM. DISTRICT ATTORNEY OFFICE
(D.A. OFFICE) (D.O.C.) SAVE F&M.

JURY TRIAL DEMAND

CIVIL RIGHTS COMPLAINT
PURSUANT TO 42 U.S.C. §1983

A. JURISDICTION

- 1) LAFAYETTE STONE, is a citizen of ALBUQUERQUE (NM)
(Plaintiff) (State)
who presently resides at 631. CHAMA ST. SE. - ALBUQ - NM.
(Mailing address or place of confinement)

- 2) Defendant (A.P.D.) (M.D.C.) (D.A. OFFICE) is a citizen of
(Name of first defendant)
ALBUQUERQUE - NM, and is employed as
(City, State)

At the time the claim(s)
(Position and title, if any)

alleged in this complaint arose, was this defendant acting under color of state law?

Yes ☒ No ☐ If your answer is "Yes", briefly explain:

THEY ARE GOVERNMENT EMPLOYEES

- 3) Defendant (D.O.C.) is a citizen of _____
 (Name of second defendant)
SANTE-FE, NM., and is employed as _____
 (City, State)
 _____ At the time the claim(s)
 (Position and title, if any)

alleged in this complaint arose, was this defendant acting under color of state.

Yes ☒ No ☐ If your answer is "Yes", briefly explain:

DEFENDANT WAS A GOVERNMENT EMPLOYEE
 FOR THE DEPARTMENT OF CORRECTIONS. ~~(D.O.C.)~~
(D.O.C.)

(Use the back of this page to furnish the above information for additional defendants.)

- 4) Jurisdiction is invoked pursuant to 28 U.S.C. §1343(3), 42 U.S.C. §1983. (If you wish to assert Jurisdiction under different or additional statutes, you may list them below.)

B. NATURE OF THE CASE

- 1) Briefly state the background of your case.

ON OR ABOUT 8-27-06 PLAINTIFF WAS ARRESTED ON
 A TRAFFICKING THEN THE STATE DID NOT SEEK AN
 INDICTMENT UNTIL 15 MONTHS LATER EVEN THOUGH
 THE STATE HAD THE SAME INFORMATION FROM THE DAY
 OF THE ARREST WHILE KEEPING PLAINTIFF INCARCERATED
 THE WHOLE 15 MONTHS AFTER THE INDICTMENT MY
 ATTORNEY FILED SEVERAL MOTIONS INCLUDING PRO-SE MOTIONS
 TO HAVE THE CASE DISMISSED WHICH THE STATE
 OBJECTED TO PLAINTIFF STAYED IN JAIL FOR 17 MORE MONTHS
 SINCE THE INDICTMENT BEFORE TRIAL DURING THIS 2 1/2 YEARS
 PLAINTIFF SUFFERED SERIOUS MEDICAL PROBLEMS AND SEVERE
 MENTAL DISTRESS FINALLY ON 4-20-09 PLAINTIFF WENT TO
 TRIAL AND WAS FOUND NOT GUILTY ON ALL CHARGES AND
 PLAINTIFF WAS RELEASED AFTER 2 1/2 YEARS PLAINTIFF ALSO
 INCLUDED A COPY OF THE RELEASE ORDER

C. CAUSE OF ACTION

- 1) I allege that the following of my constitutional rights, privileges or immunities have been violated and that the following facts form the basis for my allegations: (If necessary, you may attach up to two additional pages (8 1/2" x 11") to explain any allegation or to list additional supporting facts.

A)(1) Count I: PLAINTIFF WAS ARRESTED AND CHARGED WITH TRAFFICKING EVEN THOUGH THERE WAS A RELEASE-ORDER PLAINTIFF WAS NEVER RELEASED UNTIL HE WENT TO TRIAL AND WAS FOUND NOT-GUILTY ON ALL CHARGES

(2) Supporting Facts: (Include all facts you consider important, including names of persons involved, places and dates. Describe exactly how each defendant is involved. State the facts clearly in your own words without citing legal authority or argument.)

WHICH MAKES THE ARREST (AND) JAIL
B)(1) Count II: TIME (WRONGFULLY) NOT GUILTY
SHOULD MEAN NOT GUILTY

(2) Supporting Facts:

C)(1) Count III:

(2) Supporting Facts:

D) PREVIOUS LAWSUITS AND ADMINISTRATIVE RELIEF

1) Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to the conditions of your imprisonment?

Yes ☐ No ☒ If your answer is "YES", describe each lawsuit. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

a) Parties to previous lawsuit.

Plaintiffs: NONE

Defendants: NONE

b) Name of court and docket number:

NONE

c) Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?)

NONE

d) Issues raised: NONE

e) Approximate date of filing lawsuit: NONE

f) Approximate date of disposition: NONE

- 2) I have previously sought informal or formal relief from the appropriate administrative officials regarding the acts complained of in Part C. Yes ☐ No ☒ If your answer is "Yes", briefly describe how relief was sought and the results. If your answer is "No," briefly explain why administrative relief was not sought.

E. REQUEST FOR RELIEF

- 1) I believe that I am entitled to the following relief:

I REQUEST
RELIEF IN AMOUNT OF {200,000.00} AN
I ALSO WOULD REQUEST TO HAVE
THE ARREST REMOVED FROM MY ARREST
-RECORDED- AN-OR- FILE PLAINTIFF
PRAYS THIS COURT GOD-BLESS-AN
THANK YOU

DATE- 4-19-12

Loyalty Ste PRO-SE
Signature of Petitioner

Signature of Attorney (if any)

631- CHAMA- ST- SE
APT- A#

A1BQ- NM- 87102
< 505 > 907-6433

Attorney's full address and telephone number.

DECLARATION UNDER PENALTY OF PERJURY

The undersigned declares under penalty of perjury that he is the plaintiff in the above action, that he has read the above complaint and that the information contained therein is true and correct. 28 U.S.C. Sec. 1746. 18 U.S.C. Sec. 1621.

A1BQ- NM- 87102
Executed at 631-CHAMA-ST-SE-APT-A on 4-19-12 2012
(Location) (Date)
LAFAYETTE STONE
Lobreyett
(Signature)

STATE OF NEW MEXICO,

Plaintiff,

VS.

ENDORSED
FILED IN THIS OFFICE

SEP 20 2006

SEP 19 2006

U.S. DISTRICT COURT
METROPOLITAN DISTRICT COURT

CR #:

Metropolitan Court CR#: 19258-06

Booking #: 130441271

DA File #: 2006-04952-2

LAFAYETTE STONE,

DOB: 09/05/78

SSN: [REDACTED] 8976

SSN: [REDACTED] 8976
CHARGES: TRAFFICKING A CONTROLLED SUBSTANCE WITHIN 1000 FEET OF A
SCHOOL ZONE (COCAINE)

Defendant.

STIPULATED ORDER TO RELEASE DEFENDANT
ON OWN RECOGNIZANCE

The above listed defendant came before the Metropolitan Court for Felony First Appearance. The Defendant will not be indicted within the original 10-day time period prescribed in Rule 5-302 of the Rules of Criminal Procedure for the District Courts, and thus must be released on this case. The parties stipulate that the release is subject to the original 60 day rule and to the original conditions of release, except bond, as set forth at the Felony First Appearance hearing in the Metropolitan Court.

IT IS HEREBY ORDERED THAT the Defendant shall be Released on Own Recognizance with all original conditions of release, except for bond, imposed at Felony First Appearance and relating back to the original 60-day Preliminary Hearing date pursuant to Rule 5-302.

Did not receive police report in time to do as a 10-day.

Approved:

ASSISTANT DISTRICT ATTORNEY

New Mexico Public Defender's Office
Stipulates for purpose of this hearing only.

By: Ralph Odenwald

District Public Defender, Region 2

Rev. 8/06

DISTRICT COURT JUDGE

I, Jeanne Luciani, Civil Clerk, of the Bernalillo County Metropolitan Court of New Mexico, hereby certify that the foregoing is true, correct and full copy of the instrument herewith set out as appears of record in my office.

Dated this 26 day of January, 2027

Jeanne Luciani
Civil Clerk

Civil Clerk
Clerk of the Bernalillo Metropolitan Court

By

Deputy

Deputy
Anna Ruiz

RECEIVED THIS LETTER BACK IF YOU CAN
11/11/11
YOU

STATE OF NEW MEXICO
ADULT PAROLE BOARD

TO: Layfayette Stone #50176 DATE: November 8, 2006

FROM: Ella Frañk, Executive Director

RE: letter to parole board

1. x This will acknowledge receipt of your recent correspondence. It has been placed in your file for later reference.
2. Your Parole Revocation Hearing was held within statutory requirements. No further adjustment will be made.
3. The Parole Board has reviewed and rejected the proposed parole plan dated . Please develop and submit an alternative plan.
4. What is the status of our correspondence dated ?
5. Your DNA inquiries need to be address to your case manager.
6. Good time inquiries must be referred to your case manager. The Board does not award nor compute good time awards.
7. You must serve your entire basic sentence, less good time, before you can be considered for parole.
8. Your recommendation dated / / , to continue on parole is approved. Please advise of any further violations. Thank you.
9. x Other: The Board is unable to re-parole you at this time. Although formal charges may not yet have been filed, you still have an active felony detainer.

(EXBIT-A.2.)